

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 1-18 are all the claims pending in the application. In response to the Office Action, Applicant respectfully submits that the claims define patentable subject matter.

**I. Overview of the Office Action**

Claims 1-6, 8, 10-15, and 17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Johansson et al. (WO 00/49761, hereafter "Johansson"). Claims 7, 9, 16, and 18 are objected to. Applicant respectfully traverses the prior art rejections.

**II. Preliminary Matters**

**A. Foreign Priority**

Applicant thanks the Examiner for acknowledging receipt of the Foreign Priority document in the U.S. Patent and Trademark Office.

**B. Information Disclosure Statement**

Applicant thanks the Examiner for initialing and returning copies of the PTO/SB/08 forms submitted with the Information Disclosure Statements filed on February 2, 2004, and February 17, 2004.

### **C. Claim Objections**

The Examiner has objected to claims 7, 9, 16, and 18 as allegedly being in improper form. By this Amendment, Applicant has amended claims 7, 9, 16, and 18 in order to improve clarity. Accordingly, the Examiner is requested to remove the claim objections.

### **III. Rejections under 35 U.S.C. § 112**

The Examiner has rejected claims 1-6, 8, 10, 12-15 and 17 for various informalities. By this Amendment, Applicant has amended the claims in order to improve clarity. Accordingly, the Examiner is requested to remove the § 112 rejections.

### **IV. Prior Art Rejections**

The Examiner alleges that Johansson discloses all of the features of independent claims 1 and 10. Applicant respectfully traverses the 35 U.S.C. § 102 rejection of these claims as set forth below.

To anticipate a claim, the reference must teach every element of the claim. See MPEP § 2131. Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), cited in MPEP § 2131.

Claim 1 and analogous claim 10 recite in part:

transmitting data in acknowledged mode between a sending unit and a receiving unit, in which the sending unit sends the receiving unit a sequence of blocks each comprising a header and data to be transmitted, and in which the header of each block comprises an acknowledgement control field activated intermittently by the sending unit so as to request an acknowledgement of blocks by of the receiving unit, the method comprising the following steps:

- a. the acknowledgement control field for some blocks of the sequence of blocks is activated in accordance with a predetermined triggering mode; and
- b. the activation of the acknowledgement control field is repeated for at least one block of the sequence that was sent after a block where the acknowledgement control field has been activated in step a.

Johansson generally relates to a method for improving the reliability of data communication by analyzing plural data units in a block or group, rather than analyzing data units (the Abstract). When a transmitter sends a polling request to a receiver, all of the polling fields of the data units are set to indicate a poll request. When the receiver receives this group of data units, it sends the requested status information to the transmitter if the polling field of at least one of the received units in the group indicates a poll request (the Abstract).

Applicant respectfully submits that there is no teaching or suggestion in Johansson that “the header of each block comprises an acknowledgement control field activated intermittently by the sending unit so as to request an acknowledgement of blocks by the receiving unit”, as recited in the claims. Applicant notes that the Examiner has not provided specific support in the

cited reference for this feature of the claims. Nevertheless, Applicant respectfully submits that although Johansson discloses that the polling fields of the data units in a data group are set to indicate a polling request (page 2, lines 18-25), there is no teaching or suggestion in Johansson that an acknowledgement control field in the header of each block is intermittently activated by the sending unit so as to request an acknowledgement of blocks by the receiving unit, as required by the claims.

Further, Applicant respectfully submits that there is no teaching or suggestion in Johansson that “the acknowledgement control field for some blocks of the sequence of blocks is activated in accordance with a predetermined triggering mode”, as recited in the claims. The Examiner cites page 2, lines 1-14 and page 8, lines 8-17 of Johansson as allegedly disclosing this feature of the claim. However, these cited portions of Johansson merely disclose that packets may include a polling field, and when the transmitter sends a polling request to the receiver, the receiver sends receiver status information to the transmitter. Further, a bit in the polling field may be set to “1” when the transmitter wants a status report of proper receipt of the data units. Nowhere do these cited portions (or any other portion) of Johansson teach or suggest “the acknowledgement control field for some blocks of the sequence of blocks is activated in accordance with a predetermined triggering mode”.

Still further, Applicant respectfully submits that there is no teaching or suggestion in Johansson that “the activation of the acknowledgement control field is repeated for at least one

block of the sequence that was sent after a block where the acknowledgement control field has been activated”, as recited in the claims.

The Examiner cites page 5, line 25 to page 6, line 12 of Johansson as allegedly disclosing this feature of the claim. However, this cited portion of Johansson merely discloses that a group of two or more data units from a first communications unit may include a polling request which requests that a receiving communications unit acknowledge whether transmitted protocol data units have been received successfully. Preferably, the receiving communications performs the polling response if just one of the data units in the group includes a polling request, or if two or more data units in the group include the polling request. However, nowhere does this cited portion (or any other portion) of Johansson teach or suggest “the activation of the acknowledgement control field is repeated for at least one block of the sequence that was sent after a block where the acknowledgement control field has been activated in step a”, as recited in the claims.

Accordingly, Applicant respectfully submits that claims 1 and 10 should be allowable because the cited reference does not teach or suggest all of the features of the claims. Claims 2-9 and 11-18 should also be allowable at least by virtue of their dependency on independent claims 1 and 10.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

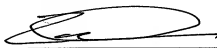
AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No.: 10/701,827

Attorney Docket No.: Q103140

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark E. Wallerson', written over a horizontal line.

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